

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER  
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE  
STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office..... MAY 24 1994  
Returned to applicant for correction.....  
Corrected application filed..... Map filed MAY 24 1994 proposed under 59767

The applicant..... U.S.D.I. BLM, Ely District  
HC 33, Box 33500 of Ely  
Street and No. or P.O. Box No. City or Town  
Nevada 89301  
State and Zip Code No. hereby make.... application for permission to change the  
point of diversion and place of use  
Point of diversion, manner of use, and/or place of use  
of water heretofore appropriated under Permit 58133  
Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and  
identify right in Decree.

1. The source of water is Shoshone Well #4, an underground source  
Name of stream, lake, underground spring or other source.
2. The amount of water to be changed 0.027 cfs or sufficient to water 305 cows, 155 deer,  
and 10 antelope.  
Second feet, acre feet. One second foot equals 448.83 gallons per minute.
3. The water to be used for livestock and wildlife  
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
4. The water heretofore permitted for livestock and wildlife  
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
5. The water is to be diverted at the following point Lot 6 of Section 2, T. 12N., R. 67E., M.D.B.&M.,  
Describe as being within a 40-acre subdivision of public survey and by course and  
or at a point from which the SE corner of said Section 2 bears S 21°51'22" E a  
distance to a section corner. If on unsurveyed land, it should be stated.  
distance of 5436.8 feet - actual well did not move, this change corrects errors  
on original application.
6. The existing permitted point of diversion is located within Lot 5 of Section 2, T. 12N., R. 67E.,  
If point of diversion is not changed, do not answer.  
M.D.B. & M. or at a point from which the SE corner of said Section 2 bears S  
20°52'59" E a distance of 5401.23 feet.
7. Proposed place of use Lots 5, 6, 7, and 8 of Section 2, T. 12N., R. 67E., M.D.B.&M.  
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.
8. Existing place of use Lot 5 of Section 2, T. 12N., R. 67E., M.D.B.&M.  
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or  
manner of use of irrigation permit, describe acreage to be removed from irrigation.
9. Use will be from January 1 to December 31 of each year.  
Month and Day Month and Day
10. Use was permitted from January 1 to December 31 of each year.  
Month and Day Month and Day
11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and  
specifications of your diversion or storage works.) Existing artesian well drilled by CCC crews  
State manner in which water is to be diverted, i.e. diversion structure,  
in 1930's  
ditches, pipes and flumes, or drilled well, etc.
12. Estimated cost of works
13. Estimated time required to construct works work already in existence

14. Estimated time required to complete the application of water to beneficial use.....Six months

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:

There is approximately one acre of riparian habitat dependent upon the continuing flow from the well. The pond fed by this well contains Pahrump Killifish (A listed Endangered Species) and the Steptoe Dace (A category 2 Species). Sufficient water is required to maintain the proper water temperature.

By s/Kenneth G. Walker  
HC 33 Box 33500  
Ely, NV 89301

Compared pm/vjw

Protested

DENIAL OF STATE ENGINEER

~~This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:~~

This application is hereby denied under the provisions of NRS § 533.503.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed.....cubic feet per second

Work must be prosecuted with reasonable diligence and be completed on or before.....

Proof of completion of work shall be filed before.....

Application of water to beneficial use shall be made on or before.....

Proof of the application of water to beneficial use shall be filed on or before.....

Map in support of proof of beneficial use shall be filed on or before.....

Completion of work filed.....  
Proof of beneficial use filed.....  
Cultural map filed.....  
Certificate No.....Issued.....

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,  
State Engineer of Nevada, have hereunto set my hand and the seal of my  
office, this 26th day of February  
A.D. 2004.

*Hugh Ricci, P.E.*  
State Engineer